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<b>DIVISION - CONTINUATION - CONTINUATION-IN-PART APPLICATION TRANSMITTAL FORM</b>		Attorney Docket No.: <u>#2 Plunkett</u> A-444A	
Anticipated Classification Of This Application: Class <u>514</u> Subclass <u>012.000</u>		Prior Application: Examiner <u>Davenport, A</u> Art Unit <u>1654</u>	

To the Assistant Commissioner for Patents:

This is a request for filing a ☐ continuation ☒ divisional ☐ continuation-in-part application, under 37 CFR 1.53(b), of pending prior application Serial No. 09/106,486 filed on June 29, 19 98, of Magal et al.

for Method for Preventing and Treating Hearing Loss Using a Neurturin Protein Product

**For CONTINUATION or DIVISIONAL APPLNS only:** The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 1b, below, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

- ☒ Transmitted herewith are:
  - ☒ 72 pages of specification, 5 pages of claim(s) and 1 page of abstract, **totaling** 78 pages.
  - ☒ 5 sheets of drawings.
  - ☒ 2 pages of Oath or Declaration by the applicant(s):
    - ☐ a. Newly executed (original or copy)
    - ☒ b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional applns. only)
  - ☒ 4 pages of Sequence Listing; sequence statement.
- ☒ The filing fee is calculated below:

For	Number Filed		Number Extra	Rate	Fee
Total Claims	19	- 20 =		x \$18.00	\$ 0.00
Independent Claims	4	- 3 =	1	x \$78.00 =	78.00
Multiple Dependent Claims	0			+ \$260.00 =	0.00
Basic Fee				\$760.00 =	760.00
Total Filing Fee					\$ 838.00

- ☒ Please charge Deposit Account No. 01-0519, in the name of Amgen Inc., in the amount of \$ 838.00. An original and one copy are enclosed.
- ☒ Throughout the prosecution of this application, if any extension of time is necessary, please consider this a request therefor.
- ☒ The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application, any additional fees which may be required during pendency of this application as required by 37 CFR 1.16 or 1.17, or credit any overpayment to Deposit Account No. 01-0519 throughout the prosecution of this application.
- ☒ Cancel in this application original claims 1 - 21 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

### EXPRESS MAIL CERTIFICATE

"Express Mail" mail labeling number: EL198799917US

Date of Deposit: August 19, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington, DC 20231.

Freddie Craft  
Printed Name

Freddie Craft  
Signature

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7. ☒ Preliminarily, please amend the specification by inserting before the first line the following:

--This application is a ☐ continuation ☒ division of application Serial No. 09/106,486, filed June 29, 1998, which claims the benefit of U.S. Provisional Application No. 60/054,184, filed July 30, 1997, which are hereby incorporated by reference.--

8. ☐ Transfer the drawings from the prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in the prior application file. (May only be used if signed by person authorized by § 1.138 and before payment of base issue fee.)

8a. ☒ New formal drawings are enclosed.

9. ☐ Priority of application Serial No. \_\_\_\_\_ filed on \_\_\_\_\_ in \_\_\_\_\_ (country) is claimed under 35 USC 119.

9a. ☐ The certified copy has been filed in prior application Serial No. \_\_\_\_\_ filed \_\_\_\_\_

10. ☒ The prior application is assigned of record to AMGEN INC.

11. ☐ A preliminary amendment is enclosed.

12. ☒ Also enclosed Information Disclosure Statement and Modified Forms 1449

13. ☐ Other: \_\_\_\_\_

14. ☒ The power of attorney in the prior application is to:  
Ron K. Levy, Registration No.: 31,539, Steven M. Odre, Registration No.: 29,094 and  
Daniel R. Curry, Registration No.: 32,727

a. ☐ The power appears in the original papers in the prior application.

b. ☒ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

c. ☒ Address all future communications to  
Daniel R. Curry  
 at the address below.

Signator: ☐ Assignee of complete interest

☒ Attorney or agent of record

*Daniel R. Curry*

Daniel R. Curry  
 Attorneyfor Applicants  
 Registration No. 32,727  
 Phone: (805) 447-8102  
 Date: August 19, 1999

Please send all future correspondence to:

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